

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
NOVEMBER 7, 1979

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. Wednesday, November 7, 1979 in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - Hughes, Katnich, McCarty
 Pinkerton, and Katzakian
 (Mayor)

Absent: Councilmen - None

Also
Present: City Manager Glaves, Assistant City
 Manager Glenn, Community Development
 Director Schroeder, Public Works
 Director Ronsko, City Attorney Stein, and
 City Clerk Reimche.

INVOCATION The invocation was given by Reverend Raymond C. Knapp, Rector, St. John's Episcopal Church.

PLEDGE Mayor Katzakian led the Pledge of Allegiance to the flag.

Mayor Katzakian asked to abstain in voting on the approval of the Minutes of October 22, 1979 and October 24, 1979, as he was not present at these meetings and could not express his approval as to the accuracy of the Minutes.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, the Minutes of October 22, 1979 were approved as written and mailed by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty,
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

MINUTES On motion of Councilman Pinkerton, Katnich second,
the Minutes of October 24, 1979 were approved as
written and mailed by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty,
and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

PROCLAMATIONS Mayor Katzakian proclaimed November 18-24, 1979 as "Family Week" and presented the Proclamation to Bishop Gerald Bingham and Bishop Brooks Larsen of the Church of Jesus Christ.

Mayor Katzakian also proclaimed the month of November 1979 as "Diabetes Month" and presented the proclamation to Mrs. Costa who was in the audience.

Minutes of November 7, 1979, continued

SPARC AWARDS Awards for various projects as selected by the SPARC Awards Committee were presented by SPARC Chairman Barbara Minton.

PLANNING COMMISSION The City Manager gave the following report of the Planning Commission meeting of October 22, 1979:

The Planning Commission -

1. Recommended amendment of the Land Use Element of the General Plan by changing the phasing of a residential-professional-commercial area at the southeast corner of West Vine Street and Lower Sacramento Road from Phase II to Phase I to permit immediate development.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, the matter was set for Public Hearing on November 21, 1979.

The Planning Commission also -

2. Recommended approval of an Ordinance Amending Chapter 27, Section 27-13 (a) (iv) of the Lodi Municipal Code reducing to three (3) the number of chicken hens pigeons, rabbits, guinea pigs or similar animals kept in any residential district.

On motion of Mayor Pro Tempore Katnich, Pinkerton second, the matter was set for Public Hearing on November 21, 1979.

The Planning Commission also -

1. Certified the filing of a Negative Declaration by the Community Development Director on the request of General Mills, Inc. to erect a 48,000 square foot truck and rail dock building; a 100,000 square foot warehouse; and a new rail access to the property.

2. Conditionally approved the request of Mr. Jim Hildenbrand for the approval of a Tentative Parcel Map to divide Lot 142, Homestead Manor No. 3 (i.e. 524-526 Huntington Drive) into two lots in an area zoned R-LD, Low Density Multiple Family Residential.

3. Conditionally approved the request of Mr. Terry Piazza, c/o Baumbach and Piazza Consulting Engineers on behalf of Genie Development, Inc. for a Tentative Parcel Map to divide a 3.85 acre parcel into two parts in Beckman Center No. 3 at the southwest corner of South Ham Lane and West Kettleman Lane (i.e. State Route 12) in an area zoned P-D(15), Planned Development District No. 15.

4. Recommended that the San Joaquin County Board and Zoning Adjustment approved the request of Mr. Rodney Bush for a Use Permit for a wholesale and retail nursery at the SW corner of Woodbridge Road and State Route 99, West Frontage Road, north of Lodi.

5. Concurred with the San Joaquin County Planning Commission and recommended that the County Board of Supervisors (1) approve a program for road abandonments in the town of Woodbridge and (2) direct the County Planning and Public Works Departments to include in the 1980-81 work programmed budget, a survey of Woodbridge rights-of-way, a specific circulation plan for the community, and (3) a program for right-of-way abandonment.

COMMUNICATIONS

City Clerk Reinche presented the following claim which the City's Contract Administrator and City Attorney recommended be rejected:

Mr. Niazar Saleh
Loss Date September 5, 1979

CLAIMS

On motion of Mayor Pro Tempore Katnich, Pinkerton second, the

Minutes of November 7, 1979, continued

heretofore mentioned Claim was rejected and referred to the City's Contract Administrator.

ABC LICENSE

The City Clerk presented an application for Alcoholic Beverage License which had been received for Ernestine V./ Joe A. Esparza, El Pajaro #2, 212 S. School Street, Lodi, On Sale Beer and Wine Eating Place, New License.

NOTICE OF
PUBLIC MEETING
RE SACRAMENTO
RIVER DEEP WATER
SHIP CHANNEL
INVESTIGATION

City Clerk Reimche announced receipt of a Notice of Public Meeting and Workshop on the Sacramento River Deep Water Ship Channel Investigation to be held November 13, 1979 at the Sacramento County Administration Building, 700 H Street, Sacramento, California.

City Clerk Reimche presented a letter which had been received from the Lodi Memorial Hospital advising that the hospital is in the process of renovating and modernizing its facilities. To finance this program, Lodi Memorial Hospital obtained a mortgage loan guarantee from the State of California which is available to qualified voluntary hospitals meeting the rigid Certificate of Need approval process.

The Hospital's financial advisor, Salmon Brothers, has advised the hospital that it can substantially reduce its loan interest expense on the proposed \$7,500,000 mortgage by utilizing the provision of IRS Ruling 63-20. This ruling permits voluntary hospitals to issue bonds, the interest on which is exempt from federal taxation provided that a qualified municipality obtains a "beneficial interest" in the facilities being financed.

In order to minimize the cost of this project to the community, Lodi Memorial Hospital is requesting consideration by the Lodi City Council to adopt a resolution accepting a beneficial interest in the hospital's facilities. The City would have no responsibility for operating the facility and would have no responsibility for the bonds according to the hospital.

A summary of anticipated questions and answers was presented so that the Council might have a better understanding of this method of financing and the involvement of the City in this process.

Speaking on behalf of the matter were the following people:

LODI
MEMORIAL
HOSPITAL
REVENUE
BONDS

- a) Mr. Richard Sandford, Administrator, Lodi Memorial Hospital.
- b) Mr. Dan Cain, representing the Hospital's financial advisor, Salmon Brothers.
- c) Mr. John Myers, Attorney-At-Law, Orrick, Herrington, et al.

A lengthy Council discussion followed with questions being directed to Staff, Mr. Sandford, Mr. Cain and Mr. Myers.

RES. NO.
79-160

On motion of Mayor Pro Tempore Katnich, Pinkerton second, Council adopted Resolution No. 79-160 - "Resolution of the City Council of the City of Lodi Approving in Principle the Financing by Lodi Memorial Hospital of a Hospital Project as a Project Undertaken in the Best Interests of the City of Lodi and Necessary and Proper for Municipal and Public Purposes". The motion carried by unanimous vote.

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PG & E
APPLICATION
BEFORE PUC

The City Clerk presented a Notice which had been received from Pacific Gas and Electric Company advising that in Application No. 59248 filed with the California Public Utilities Commission on October 31, 1979, it has requested authorization under its Energy Cost Adjustment Clause to increase, effective January 1, 1980 its electric rates and charges related to energy costs. The proposed adjustment rates will increase PG and E's electric revenues about 21.7% or \$484.7 million on an annualized basis.

REPORTS OF THE
CITY
MANAGER

CONSENT
CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Hughes second, were approved by the Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$673,419.18.

Council was informed that the contract for "Vine Street Improvements, Beckman Road to Cluff Avenue" which had been awarded to Claude C. Wood Company of Lodi on July 18, 1979 in the amount of \$66,718.95 has been completed in substantial conformance the plans and specifications approved by the City Council.

ACCEPTANCE OF
"VINE STR.
IMPROVEMENTS,
BECKMAN ROAD TO
CLUFF AVE."

COUNCIL ACCEPTED THE IMPROVEMENTS IN "VINE STREET IMPROVEMENTS, BECKMAN ROAD TO CLUFF AVENUE" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION THEREON.

LANE LINE
PAINTING SPEC-
APPROVED

COUNCIL APPROVED SPECIFICATIONS FOR LANE LINE PAINTING AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

SPECS FOR
1980 DIESEL CAB
OVER DUMP TRUCK.
APPROVED

COUNCIL APPROVED THE SPECIFICATION FOR "ONE 1980 MODEL DIESEL CAB-OVER DUMP TRUCK" WITH MODIFICATION TO SECTION PERTAINING TO "RADIO" AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

APPROVE
AGREEMENT -
LODI SPORTS
CENTER

City Manager Graves informed the Council that the Lodi Sports Center, Ltd., the redeveloper of 1900 S. Hutchins Street has furnished the City with the necessary agreements, bonds, deeds, and fees for their proposed redevelopment. The redevelopment is of the "Robbies" pool complex and will include construction of a frontage road in front of the development as well as the parcel to the south, thus tying to the frontage road immediately north of Century Boulevard.

COUNCIL APPROVED THE IMPROVEMENT SECURITY FOR THE DEVELOPMENT LOCATED AT 1900 S. HUTCHINS ST., LODI AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE DOCUMENT ON BEHALF OF THE CITY.

RESOLUTION
AUTHORIZING
DESTRUCTION OF
CERTAIN RECORDS

Authorization to destroy certain records retained by the City Clerk was requested. Council was informed that pursuant to Government Code Section 34090, the City Attorney has given his written consent to the destruction of the heretofore mentioned records.

Council adopted the following resolution:

RESOLUTION NO. 79-161

RESOLUTION AUTHORIZING DESTRUCTION OF CERTAIN RECORDS RETAINED BY THE CITY CLERK.

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PRESENTATION -
CENTRAL LODI
IMPROVEMENT
COMMITTEE

Following introduction of the matter by Walter Sanborn, Fred Weybret gave a presentation regarding the formation of the Central Lodi Improvement Committee and the steps the Committee has initiated for further improvement of downtown Lodi. The Council was informed that eighteen members of this volunteer committee of property owners and business people have, since September 1978:

- 1) Interviewed and tentatively selected an engineering and planning consultant firm to work with us and the City to complete a professional improvement study.
- 2) Secured 222 signatures of downtown property owners and business people in support of a planning program, approximately 75% of the total property owners and business' within the proposed study area.
- 3) Obtained \$5,500 in financial support through contributions from these signors.
- 4) Outlined a study area for improvement planning, as shown on the display map on the South wall of the Council Chambers.

The presentation was concluded with the Central Lodi Improvement Committee requesting the following from the Lodi City Council:

- 1) A \$2,500 contribution to the cost of the planning and engineering study of needed improvements, including parking, in the downtown area.
- 2) The underwriting of the balance of the \$25,000 cost of the study, to be paid by the City only if the project fails.
- 3) The employment of Quad Consultants by the City to perform the study.
- 4) A conditional commitment for parking meter removal, subject to adoption of an overall parking plan.

The City Clerk apprised the Council that she had this date been presented with a petition signed by approximately 50 people which read as follows:

"We the Undersigned Business persons, wish to be excluded from the boundaries of the new Downtown Businessmen's Association. We hope our wish will be respected as independent business persons and property owners, and we wish to remain independent".

Mr. Frank Peck, Tokay Olds and Buick, 1 E. Lodi Avenue spoke on behalf of the aforementioned petition and responded to questions as were posed by the City Council.

Also speaking on the subject was Mr. Bill Canepa, 131 S. Orange, Lodi.

A lengthy discussion followed with questions being directed to members of the Central Lodi Improvement Committee, Mr. Peck, Mr. Canepa and to staff.

On motion of Mayor Pro Tempore Katnich, Hughes second, the Council by unanimous vote appropriated \$2500.00 toward the retaining of the firm of Quad Consultants to develop the planning program for downtown improvements.

On motion of Mayor Pro Tempore Katnich, Hughes second, Council by the following vote guaranteed payment on the remaining \$20,000 of the study's cost if the proposed Assessment District forms, with these funds to be allocated from the Hotel-Motel Tax Funds.

Minutes November 7, 1979, continued

Ayes: Councilmen - Hughes, Katnich, Pinkerton,
Katzakian

Noes: Councilmen - McCarty

Absent: Councilmen - None

Following additional discussion on motion of Councilman Pinkerton, Katnich second, Council by unanimous vote indicated it would consider parking meter removal, should the action be recommended in the Quad Consultants downtown study and should a special assessment district be formed, the cost of which action would be subject to negotiations.

RECESS

The Mayor declared a 5 minute recess and the Council reconvened at approximately 10:05 p.m.

Mayor Katzakian asked to abstain from discussion and voting on the following item because of a possible conflict of interest.

TANDY RANCH
ADDITION
ANNEXATION AND
DETACHMENT FROM
WOODBIDGE
RURAL FIRE
PROTECTION
DISTRICT

RES. NO. 79-162

Following introduction of the matter by City Manager Graves and additional background information and diagram of the subject area being provided by Community Development Director Schroeder, Council, on motion of Councilman McCarty, Pinkerton second, adopted Resolution No. 79-162 "Resolution of the Lodi City Council for the Application to the San Joaquin County Local Agency Formation Commission in the matter of the Proposed Tandy Ranch Addition and Detachment of Certain Territory Within the Area Proposed for Annexation to the City of Lodi". The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, McCarty, and Pinkerton

Noes: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Katzakian

ARCHITECTS
FOR NEW
FIREHOUSE
DESIGN
RETAINED

Following introduction of the matter by City Manager Graves, Council on motion of Councilman Pinkerton, Katnich second, authorized retaining the firm of Preszler-Bishop as architects for the design of the new firehouse.

RESOLUTION
DESIGNATING
DELEGATE AND
ALTERNATES TO
N.C.P.A.

Following introduction of the matter by City Manager Graves, Council on motion of Mayor Pro Tempore Katnich, Hughes second, adopted Resolution No. 79-163 designating the following delegate and alternates to the Northern California Power Agency to represent the City of Lodi:

RES. NO. 79-163

Delegate - Richard L. Hughes

1st Alternate - James W. Pinkerton, Jr.

2nd Alternate - Henry A. Graves, Jr.

The plans and specifications for "City Hall Landscaping" were presented for Council's perusal. Council was informed that in general, this work includes the installation of landscaping and sprinkler systems around City Hall and the new City Hall parking lot, including new mow strips, installation of block wall around parking lot with minor work in the parking lots adjacent to the Public Safety Building.

Minutes of November 7, 1979, continued

PLANS AND
SPECS FOR
"CITY HALL
LANDSCAPING"
APPROVED

On motion of Councilman Pinkerton, Hughes second, Council approved the plans and specifications for "City Hall Landscaping" and authorized the City Clerk to advertise for bids thereon.

Councilman Pinkerton asked to abstain from discussion and voting on the following item because of a possible conflict of interest.

ORDINANCES

Ordinance No. 1182 entitled, "An Ordinance amending the Circulation Element of the General Plan to modify Mounce Street" as follows:

ORD. AMENDING
CIRCULATION
ELEMENT OF
GENERAL PLAN
TO MODIFY MOUNCE
STR.

1) that the street not be extended easterly to the future extension of Myrtle Street;

2) that the street terminate in a cul-de-sac-turnaround on property belonging to Lodi Door and Metal Company, Inc., just easterly of its present dead-end; and

3) that the overall width of the street be established at 50 feet,

ORD. NO. 1182
ADOPTED

having been introduced at an adjourned regular meeting held October 24, 1979 was brought up for passage on motion of Mayor Pro Tempore Katnich, McCarty second. Second reading was omitted after reading by title, and the Ordinance was then adopted, and ordered to print by the following vote:

AYES: Councilmen - Hughes, Katnich, McCarty, and Katzakian

NOES: Councilmen - None

Absent: Councilmen - None

Abstain: Councilmen - Pinkerton

ADJOURNMENT

There being no further business to come before the Council, Mayor Katzakian adjourned the meeting at approximately 10:15 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk